



Patent Application No. 10/728,995  
Customer Number: 27683

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Trieu	§	Docket No.:	31132.173
		§		PC755.00
Serial No.:	10/765,260	§		
		§	Examiner:	Isabella, David J.
Filing Date:	January 27, 2004	§		
		§	Art Unit:	3738
For:	HYBRID INTERVERTEBRAL	§		
	DISC SYSTEM	§		

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop: Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed August 17, 2004, applicant hereby elects, Group I, Claims 1-51 and 53-61, which is drawn to a vertebral implant.

Applicant's election is made with traverse on the grounds that the embodiments delineated by the examiner are not patentably distinct and therefore constitute a single invention concept.

An early action on the merits is respectfully requested.

Respectfully submitted,

Julie M. Nickols  
Registration No. 50,826

Date:

Aug 30, 2004

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date below.

Name

Gayle Conner

Date

8-31-04